

REMARKS

The Applicants have carefully reviewed the Office Action of January 26, 2005 and acknowledge with appreciation the substantive allowance of claims 6-10, 12 and 13. In response to this Office Action the Applicants submit herewith replacement drawing sheets to address the objection to the drawings set forth in the Office Action. Specifically, Figures 1 and 2b are amended to include reference numeral 10 and an appropriate lead line.

Also submitted herewith is a Terminal Disclaimer referencing co-pending patent application serial no. 10/433,851 also owned by the assignee of the present invention. The filing of this Terminal Disclaimer obviates the provisional obviousness-type double patenting rejection based upon this co-pending application.

Turning now to the substantive issues, claim 1 is amended to incorporate the subject matter of substantively allowed claim 6 relating to the metal D-nut. Claim 6 is canceled without prejudice and claim 7 is amended to depend from amended claim 1. With these amendments, claim 1 and claims 2-5 and 7-10 dependent from claim 1 should be formally allowed.

In the Office Action of January 26, 2005, the Examiner argues that present claim 11 is anticipated by U.S. Patent 2,372,404 to Taylor. The Applicants traverse this rejection without making amendment to this claim.

The Examiner argues that claim 11, as currently written, reads upon the left side of the pulley 12 in the Taylor reference that receives the stub shaft 42. Applicants respectfully disagree with this interpretation of the Taylor reference. More specifically, it must be appreciated by the Examiner that the end portions 42 are a part of the roll member or agitator body. Accordingly, the pulley 12 in the Taylor reference does not include a mounting fixture for engaging a stub shaft of a drive gear as explicitly set forth in present claim 11.

The standard for lack of novelty or “anticipation” is one of strict identity. As stated by the Court of Appeals for the Federal Circuit in *Hybritech, Inc. v. Monoclonal Antibodies, Inc.*, 802 F.2d 1367, 1379, 231 USPQ 81, 90 (Fed. Cir. 1986), “It is axiomatic that for prior art to anticipate under section 102 it has to meet every element of the claimed invention. . . .” Clearly, in this instance the Taylor reference does not disclose a pulley including a mounting fixture for engaging a stub shaft of a drive gear. Accordingly, the present rejection under 35 U.S.C. §102 is clearly improper.

Further, it should be appreciated that no rejection based upon this reference is supported under 35 U.S.C. §103. This is because Taylor makes no teaching or suggestion to lead one skilled in the art to the presently claimed structure. Thus, the rejection of claim 11 is no doubt improper and should be withdrawn.

Since the remaining claims 12 and 13 have already been found to substantively distinguish over the prior art, this means that all the claims in the application are now in

condition for allowance. Accordingly, the early issuance of a formal Notice of Allowance is earnestly solicited. Of course, if any questions remain the Examiner is respectfully requested to contact the Applicants' attorney by telephone in order to expedite prosecution.

Respectfully submitted,

KING & SCHICKLI, PLLC



Warren D. Schickli
Registration No. 31,057

247 North Broadway
Lexington, Kentucky 40507
(859) 252-0889

CERTIFICATE OF MAIL

I hereby certify that this correspondence is being sent by
U.S. Postal Service to Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313-1450, on

March 18, 2005
Date 3/18/05 J. Williams

DRAWING AMENDMENTS

The attached sheets of drawings include changes to Figures 1 and 2b. Specifically, corrected drawing sheets in compliance with 37 CFR 1.121(d) are submitted herewith.

The first drawing sheet illustrates Figures 1, 3a and 3b. Reference number 10 and a lead line have been added to Figure 1 of this drawing sheet. The second sheet includes drawing Figures 2a and 2b. Reference number 10 and a lead line have been added to Figure 2b of this drawing sheet. Each replacement sheet is labeled “Replacement Sheet” in the page header.